

TITLE 326 AIR POLLUTION CONTROL DIVISION

Emergency Rule
LSA Document #23-XXX(E)

DIGEST

Temporarily amends 326 IAC 1-4-11 and 326 IAC 1-4-23 to change the status of Clark and Floyd counties from “marginal nonattainment” to “attainment” for the 2015 8-hour National Ambient Air Quality Standards (NAAQS) for ozone. Temporarily amends 326 IAC 1-4-46 and 326 IAC 1-4-65 to change the status of Lake and Porter counties from “serious nonattainment” to “attainment” for the 2008 8-hour NAAQS for ozone. Temporarily amends 326 IAC 1-4-46 and 326 IAC 1-4-65 to change the status for certain townships in Lake and Porter counties from “marginal nonattainment” to “moderate nonattainment” for the 2015 8-hour NAAQS for ozone. Temporarily removes Clark and Floyd counties and the southern townships of Lake and Porter counties from 326 IAC 2-6-1. Statutory authority: IC 13-14-8-1. Effective _____.

SECTION 1. (a) This SECTION supersedes 326 IAC 1-4-11.

(b) The following attainment status designations are applicable to Clark County:

Pollutant	Designation
SO₂	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O₃	Attainment effective July 5, 2022, for the 2015 8-hour ozone standard.
PM_{2.5}	Unclassifiable or attainment effective January 28, 2019, for the 2012 annual PM_{2.5} standard.
PM_{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM_{2.5} standard.
PM₁₀	Unclassifiable effective November 15, 1990.
NO₂	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO₂ standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

SECTION 2. (a) This SECTION supersedes 326 IAC 1-4-23.

(b) The following attainment status designations are applicable to Floyd County:

Pollutant	Designation
SO₂	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O₃	Attainment effective July 5, 2022, for the 2015 8-hour ozone standard.

PM_{2.5}	Unclassifiable or attainment effective January 28, 2019, for the 2012 annual PM_{2.5} standard.
PM_{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM_{2.5} standard.
PM₁₀	Unclassifiable effective November 15, 1990.
NO₂	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO₂ standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

SECTION 3. (a) This SECTION supersedes 326 IAC 1-4-46.

(b) The following attainment status designations are applicable to Lake County:

Pollutant	Designation
SO₂	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148th Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County.
O₃	Attainment effective May 20, 2022, for the 2008 8-hour ozone standard.
O₃	Moderate nonattainment effective November 7, 2022, for the 2015 8-hour ozone standard for Calumet, Hobart, North, Ross, and St. John townships. Unclassifiable or attainment effective August 3, 2018, for the 2015 8-hour ozone standard for the remainder of the county.
PM_{2.5}	Unclassifiable or attainment effective January 28, 2019, for the 2012 annual PM_{2.5} standard.
PM_{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM_{2.5} standard.
PM₁₀	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO₂	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO₂ standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

SECTION 4. (a) This SECTION supersedes 326 IAC 1-4-65.

(b) The following attainment status designations are applicable to Porter County:

Pollutant	Designation
SO₂	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O₃	Attainment effective May 20, 2022, for the 2008 8-hour ozone standard.
O₃	Moderate nonattainment effective November 7, 2022, for the 2015 8-hour ozone standard for Center, Jackson, Liberty, Pine, Portage, Union, Washington, and Westchester townships. Unclassifiable or attainment effective August 3, 2018, for the remainder of the county.
PM_{2.5}	Unclassifiable or attainment effective January 28, 2019, for the 2012 annual PM_{2.5} standard.
PM_{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM_{2.5} standard.
PM₁₀	Unclassifiable effective November 15, 1990.
NO₂	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO₂ standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

SECTION 5. (a) This SECTION supersedes 326 IAC 2-6-1

(b) This rule applies to all of the following:

- (1) Sources required to have a Part 70 operating permit under 326 IAC 2-7.**
- (2) Sources located in the following counties that emit volatile organic compounds (VOC) or oxides of nitrogen (NO_x) into the ambient air at levels equal to or greater than twenty-five (25) tons per year:**
 - (A) Lake; Calumet, Hobart, North, Ross, and St. John townships only.**
 - (B) Porter; Center, Jackson, Liberty, Pine, Portage, Union, Washington, and Westchester townships only.**
- (3) Sources that emit lead into the ambient air at levels equal to or greater than five (5) tons per year.**

(c) All sources permitted by the department are subject to 326 IAC 2-6-5 concerning additional information requests.

SECTION 6. A variance request from the requirements of this document shall be made in accordance with IC 13-14-8-8.